GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education Department – Case under the P.C. Act 1988 against Sri P. Satyanarayana Murthy, Asst. Director (Retired) O/o Commissioner of Technical Education, Hyderabad - Penalty of withholding the full pension permanently and gratuity in full imposed - Implement the Judgement of Hon'ble Supreme Court of India dt.14.09.2015 in Criminal Appeal No.31/2009 – Orders - Issued.

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HGIHER EDUCATION (VC) DEPARTMENT

G.O.Rt.No.127 Dated:09-06-2016.

Read the following:-

1. Procs.No.C1/35378/96, dt.23-10-1996 of Commissioner of Technical Education, A.P., Hyderabad.
2. G.O.Ms.No.277, Higher Education (TE.2) Department, dt.25-10-1999.
3. Commissioner of Technical Education, A.P., Hyderabad, Procs. No.C1/35378/96, dt.08-11-1999.
4. G.O.Rt.No.353, Higher Education (VC.II) Department, dt.24-06-2004.
5. Judgement of the Hon'ble Supreme Court of India in Criminal Appeal No.31/2009, dt.14-09-2015.

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ORDER:

In ACB trap case on the allegations of corruption, Sri P. Satyanarayana Murthy, Asst. Director, O/o Commissioner of Technical Education, A.P., Hyderabad was placed under suspension by the Commissioner of Technical Education, A.P., Hyderabad in the reference first read above. Aggrieved by the suspension, the incumbent has filed O.A.No.8957/1998 in Hon'ble APAT. In pursuance of the orders of the Hon'ble APAT in OA No.8957/1998, dt.23-12-1998, Sri P. Satyanarayana Murthy was reinstated into service, subject to the final outcome of the trial case in ACB Special Court vide reference second read above. Accordingly, the Commissioner of Technical Education issued orders posting him as Administrative Officer at Government Polytechnic for Women, Nellore vide reference third read above. Subsequently, he retired from service on attaining the age of superannuation on the A.N of 31-03-2000.

2. The Addl. Special Judge for SPE and ACB Cases, Hyderabad in his judgment in C.C.No.5/98, dt.28-02-2002 found the accused Sri P. Satyanarayana Murthy, Asst. Director (Retired), O/o Commissioner of Technical Education, A.P., Hyderabad guilty of the charges and sentenced to undergo rigorous imprisonment for one year under each count and to pay a fine of Rs.1000/- and in default of payment of fine, to undergo simple imprisonment for three months under each count. Both sentences were ordered to run concurrently under section 7 and 13(1) (d) read with section 13(2) of P.C. Act 1988.

3. In pursuance of the orders of Addl. Special Judge for SPE and ACB Cases, Hyderabad in his judgment in C.C.No.5/98, dt.28-02-2002, in G.O. fourth read above, orders were issued imposing a penalty of withholding the full pension permanently and gratuity in full payable to Sri P. Satyanarayana Murthy, Asst. Director(Retired), O/o Commissioner of Technical Education, A.P., Hyderabad.

4. The Hon'ble High Court in its Judgment dt.25-04-2008 in Criminal Appeal No.262/2002, while dismissing the appeal filed by Sri P. Satyanarayana Murthy, Asst. Director(Retired), O/o Commissioner of Technical Education, A.P., Hyderabad, confirmed the conviction and sentence awarded by the lower court under section 13(1) (d) r/w 13(2) of the P.C Act, 1988. However, the conviction and the sentence under section 7 of the P.C. Act were set- aside.

5. The accused officer has filed Criminal Appeal No.31/2009 before Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India, in its judgment in Criminal Appeal No.31/2009, dt.14-09-2015 has set aside the impugned judgment, dt.25-04-2008 of the Hon'ble High Court.

(P.T.O)

6. After careful examination of the matter the Government hereby decided to implement the judgment dt.14-09-2015 of the Hon'ble Supreme Court of India in Criminal Appeal No.31 of 2009 and cancel the G.O fourth read above in which the penalty of withholding the full pension permanently and gratuity in full payable to Sri P. Satyanarayana Murthy, Asst. Director(Retired), O/o Commissioner of Technical Education, A.P., Hyderabad was imposed.

7. The Commissioner of Technical Education, A.P., Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUMITA DAWRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Technical Education, A.P., Hyderabad.
Sri P. Satyanarayana Murthy, Asst. Director (Retired),
O/o Commissioner of Technical Education, A.P., Hyderabad through
Commissioner of Technical Education, A.P. Hyderabad
Copy to:-
The OSD to Hon’ble M(HRD), Govt. of Andhra Pradesh, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER